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EXAMINER	
FRINK, JOHN MOORE	
ART UNIT	**PAPER NUMBER**
2112	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/19/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/729,403	LYLES ET AL.	
	Examiner	Art Unit	
	John M. Frink	2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/28/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6, 8, 10, 14, 15, 18 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claim 8, it is unclear what is meant when the applicant states the disclosed database is 'operable to store telecommunications equipment.' Since databases are incapable of providing a physical storage point for actual telecommunications hardware, it is interpreted for the purpose of this examination that this means the database is operable to store information relating to telecommunications equipment rather than the equipment itself. Furthermore, it is unclear what is meant by 'network element graphical format configurations.' For the purposes of this examination, 'network element graphical format configurations' is interpreted as graphics relating to particular network or telecommunications hardware.

4. Regarding claim 10 and 18, it is unclear what is meant by 'network elements display.' For the purposes of this examination, this is interpreted as meaning the way the graphics relating to network elements are arranged.

5. Regarding claim 6, 14 and 15 and 23, it is unclear what is meant by allowing 'the user to remove cards, add cards,' and what is meant by 'graphical user interface is further operable change the plug-in cards installed into the telecommunications

equipment' For the purposes of this examination, both of these phrases are interpreted as meaning the graphical user interface allows the user to select cards currently in use and to uninstall their drivers (i.e., have the card's software uninstalled or database or computer references to them deleted such that it they are no longer used), or cards not in use and to install their drivers, rather than physically adding or physically removing the telecommunications equipment itself.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 3, 5 – 7, 9,11, 13 – 15, 17, 19, 21 – 23 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention, as is referenced in the Information Disclosure Statement filed by the applicant on January 28, 2005 and disclosed in the BTAS User Documentation.

3. Regarding claim 1, BTAS discloses a telecommunications assignment system, comprising assignment logic operable to assign a plurality of telecommunications equipment and ports to a plurality of network elements, collection logic operable to receive a plurality of assignments from the assignment logic and store the assignments in a database, and a graphical user interface operable to receive assignments from said database, and to display the assignments to a user in a graphical format which includes

displaying the telecommunications equipment in a graphical format substantially similar to a physical construction of the telecommunications equipment (pg. 1 - 5).

4. Regarding claims 2 and 3, BTAS further discloses where the graphical user interface logic can display the plurality of network elements in a graphical format substantially similar to a physical construction of the network element as well as providing a graphical format to a remote client on a desktop computer associated with the user over a network (pg. 1 and pg. 7 – 9).

5. Regarding claim 5, BTAS further discloses the system of claim 3 wherein the remote client is a telecommunications assignment system (pg. 1 and pg. 7 – 9).

6. Regarding claim 6, BTAS further discloses the system of claim 1, wherein the assignment logic is operable to remove assignments, add assignments, remove cards, and add cards on the telecommunications equipment (pg. 1, pg. 7 – 9, pg. 13 – 15, pg. 20 – 23 and pg. 33).

7. Regarding claim 7, BTAS further discloses the system of claim 6, wherein the assignment logic is operable to track cards installed in telecommunications equipment (pg. 13 – 16).

8. Regarding claim 9, BTAS further discloses a method of assigning telecommunications equipment, comprising providing a graphical user interface to a user which comprises a plurality of telecommunications equipment and network elements which are displayed to the user in a format substantially similar to the physical construction of the telecommunications equipment, the graphical user interface being further operable to allow the user to make telecommunications equipment assignments;

receiving telecommunications equipment assignments from the user via the graphical user interface, and storing the telecommunications equipment assignments received from the user in a database for later retrieval (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

9. Regarding claim 11, BTAS further discloses the method of claim 9, further comprising providing the graphical user interface to a user over a network to a remote client associated with the user (pg. 1 - 5).

10. Regarding claim 13, BTAS further discloses the method of claim 11, further comprising using a telecommunications assignment application as the remote client (pg. 1 – 5, pg. 20 – 23).

11. Regarding claim 14, BTAS further discloses the method of claim 9 where the graphical user interface is operable to allow the user to remove cards, add cards, remove assignments, and add assignments to the telecommunications equipment (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

12. Regarding claim 15, BTAS further discloses that said graphical user interface is operable to allow the user to change plug-in cards installed on the telecommunications equipment (pg. 13 – 15).

13. Regarding claim 17, BTAS further discloses a computer readable medium having a program for assigning telecommunications equipment, the program operable to provide a graphical user interface to a user, comprising a plurality of telecommunications equipment and network elements which are displayed to the user in a format specifically similar to the physical construction of the telecommunications

equipment, the graphical user interface being operable to allow the user to make telecommunications assignments; receiving telecommunications equipment assignments from the user via the graphical user interface and storing the telecommunications equipment assignments received from the user in a database for later retrieval (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

14. Regarding claim 19, BTAS further discloses providing the graphical user interface to the user over a network to a remote client associated with the user (pg. 1 – 5).

15. Regarding claim 21, BTAS further discloses using a telecommunications assignment application as the remote client (pg. 1 - 5).

16. Regarding claim 22, BTAS further discloses the graphical user interface being operable to allow the user to remove ports, remove assignments, and create alarms on the telecommunications equipment (pg. 25).

17. Regarding claim 23, BTAS further discloses the graphical user interface being operable to allow the user to change plug-in cards installed into the telecommunications equipment (pg. 1, pg. 7 – 9, pg. 13, pg. 25).

18. Claims 1 – 3, 6, 7, 9, 11, 13 - 15, 17, 19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Wickham et al. (US 6,307,546 B1).

19. Regarding claim 1, Wickham et al. disclose a telecommunications assignment system, comprising assignment logic operable to assign a plurality of telecommunications equipment and ports to a plurality of network elements, collection logic operable to receive a plurality of assignments from the assignment logic and store

the assignments in a database, and a graphical user interface operable to receive assignments from said database, and to display the assignments to a user in a graphical format which includes displaying the telecommunications equipment in a graphical format substantially similar to a physical construction of the telecommunications equipment (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

20. Regarding claims 2 and 3, Wickham et al. further disclose where the graphical user interface logic can display the plurality of network elements in a graphical format substantially similar to a physical construction of the network element as well as providing a graphical format to a remote client on a desktop computer associated with the user over a network (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8). Wickham et al. further disclose where the remote client is a telecommunications assignment system application (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

21. Regarding claim 6, Wickham et al. further disclose where the assignment logic is operable to remove assignments, add assignments, remove cards and add cards on the telecommunications equipment (col. 11 lines 9 - 60).

22. Regarding claim 7, Wickham et al. further disclose tracking cards installed in telecommunications equipment (col. 11 lines 9 – 60).

23. Regarding claim 9, Wickham et al. further disclose a method of assigning telecommunications equipment, comprising providing a graphical user interface to a user, the interface comprising a plurality of telecommunications equipment and network

elements which are displayed to the user in a format substantially similar to the physical construction of the equipment, the interface further operable to allow the user to make telecommunications equipment assignments, receiving telecommunications equipment assignments from the user via the graphical user interface and storing the telecommunications equipment assignments receiving from the user in a database for later retrieval (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

24. Regarding claim 11, Wickham et al. further disclose providing the graphical user interface to the user over a network to a remote client associated with the user (Fig. 6, Fig. 7, Fig. 8, Fig. 9).

25. Regarding claim 13, Wickham et al. further disclose using a telecommunications assignment application as the remote client (col. 2 lines 25 – 60, col. 11 lines 9 - 60).

26. Regarding claim 14, Wickham et al. further discloses where the graphical user interface is operable to allow the user to remove cards, add cards, remove assignments, and add assignments on the telecommunications equipment (Fig. 6, Fig. 8, Fig. 9).

27. Regarding claim 15, Wickham et al. further disclose where the graphical user interface is operable to allow the user to change the plug-in cards installed in the telecommunications equipment (Fig. 6, Fig. 8, Fig. 9).

28. Regarding claim 17, Wickham et al. further disclose a computer readable medium having a program for assigning telecommunications equipment, the program operable to provide a graphical user interface to a user, comprising a plurality of

telecommunications equipment and network elements which are displayed to the user in a format specifically similar to the physical construction of the telecommunications equipment, the graphical user interface being operable to allow the user to make telecommunications assignments; receiving telecommunications equipment assignments from the user via the graphical user interface and storing the telecommunications equipment assignments received from the user in a database for later retrieval (col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

29. Regarding claim 19, Wickham et al. further disclose providing a graphical user interface to the user over a network to a remote client associated with the user (col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

30. Regarding claim 21, Wickham et al. further disclose the program of claim 19 further comprising using a telecommunications assignment application as the remote client (col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

Claim Rejections - 35 USC § 103

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

32. Claim 4, 10, 12, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham et al.

33. Regarding claims 4, 12 and 20, Wickham et al. disclose the system of claims 3, 11 and 19 (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham et al. do not disclose where the remote client is a web browser operable to view any plurality of web formats.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Wickham et al. to access the telecommunications assignment system of claim 3 with a web browser. The examiner takes official notice that web-based and web-accessible applications are notoriously well known in the art. Web-accessible applications allow users to access it from more locations more easily, as specialized software does not need to be installed in order to use applications via a web browser.

34. Regarding claims 10 and 18, Wickham et al. disclose including the format for the telecommunications equipment and the network elements display in a database (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham et al. do not disclose where the format for the telecommunications equipment and the network elements display are stored in the same database with as the telecommunications equipment assignments.

It would be obvious to one of ordinary skill in the art at the time of the invention to store the assignment information in the same database as the information relating to the telecommunications graphics in order to provide for the simplest possible database arrangement. The examiner takes official notice that storing related database elements

in the same database is notoriously well known in the art. This provides for a database that would take less time to create and maintain when compared with other options, such as storing different pieces of data in separate databases.

35. Claim 8,16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham et al in view of Edwards (5,590,360).

36. Regarding claim 8, Wickham et al. disclose storing telecommunications data and telecommunications graphic format configurations (col. 11 lines 1 – 60, Fig. 6, Fig. 7, Fig. 8, Fig. 9). Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said telecommunications data and telecommunications graphic format configuration.

Wickham et al. do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham et al.'s storage of telecommunications data and graphics format configurations with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

37. Regarding claim 16, Wickham et al. disclose providing assignment information and display information to the user (col. 11 lines 9 – 60 and Fig. 6, Fig. 7, Fig 8). Wickham et al. also disclose storing such data, in addition to other data, in a database (col. 9 lines 5 – 33, col. 10 lines 35 – 63, Fig. 6). Furthermore, any database is

inherently operable to store any type of information capable of being processed by a computer, which includes said assignment and display information.

Wickham et al. do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham et al.'s method of providing assignment and display information with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

38. Regarding claim 24, Wickham et al. disclose the program of claim 17, as well as storing said assignments and other data in a database (col. 11 lines 9 – 67 and col. 12 lines 1 – 30), Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said assignment and display information.

Wickham et al. do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham et al.'s method of claim 17 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is

inherently easier to backup and to restore in the event of a failure due to its centralized nature.

39. Claim 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham et al in view of Kidder et al. (US 6,445,774 B1).

Regarding claim 22, Wickham et al. disclose the program of claim 17, where the graphical user interface is operable to allow the user to remove ports and to remove assignments (Fig. 6, Fig. 7 and Fig. 8, col. 11 line 9 through col. 12 line 30),

Wickham et al. do not disclose creating alarms on the telecommunications equipment.

Kidder et al. disclose creating alarms on telecommunications equipment (Fig. 3, Fig. 4, Fig. 5, and Fig. 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the program disclosed by Wickham et al. by adding the alarm creation means disclosed by Kidder et al. Wickham et al. detail the management of alarms, including displaying alarms status (Fig. 6). Combining that with means to graphically allow users to create alarms extends the programs functionality in a way that would be expected by the user, as the said purpose of Wickham et al.'s tool is to aide in maintaining and provisions telecommunications services (col 1 lines 39 - 60). As Wickham et al.'s and Kidder et al.'s disclosures both show, alarms are an important part and thus a logical element in maintaining and provisioning telecommunications services.

40. Regarding claim 23, Wickham et al. and Kidder et al. disclose the program of claim 22. Furthermore, Wickam et al. discloses a program with a graphical user

interface operable to allow the user to change plug-in cards installed into telecommunications equipment (Fig. 8, col. 11 lines 9 - 60, col. 12 and col. 13).

41. Claim 4, 10, 12, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over BTAS.

42. Regarding claims 4,12, and 20, BTAS discloses the system of claim 3 (pg. 1, pg. 7 – 9) claim 11 and claim 19 (pg. 1 – 5).

BTAS does not disclose where the remote client is a web browser operable to view any of a plurality of web formats.

It would have been obvious to one of ordinary skill in the art at the time of the invention to access the telecommunications assignment system of claim 3 with a web browser. The examiner takes official notice that web-based and web-accessible applications are notoriously well known in the art. Web-accessible applications allow users to access it from more locations more easily, as specialized software does not need to be installed in order to use applications via a web browser.

43. Regarding claims 10 and 18, BTAS discloses the method of claims 9 and 17, including the format for the telecommunications equipment and the network elements display in a database (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

BTAS does not disclose where the format for the telecommunications equipment and the network elements display are stored in the same database with as the telecommunications equipment assignments.

It would be obvious to one of ordinary skill in the art at the time of the invention to store the assignment information in the same database as the information relating to the

telecommunications graphics in order to provide for the simplest possible database arrangement. The examiner takes official notice that storing related database elements in the same database is notoriously well known in the art. This provides for a database that would take less time to create and maintain when compared with other options, such as storing different pieces of data in separate databases.

44. Claim 8,16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over BTAS in view of Edwards (5,590,360).

45. Regarding claim 8, BTAS discloses the system of claim 1 (pg. 1 –5), along with the database from claim 1 being operable to store telecommunications equipment and network element graphical format configurations (pg. 1 - 5, pg. 7 – 9, pg. 13 – 15, pg. 20 – 23 and pg. 33)

BTAS does not disclose a centralized database.

Edwards shows a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the system BTAS disclosed from claim 1 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

46. Regarding claim 16, BTAS discloses the method of claim 9, along with a database operable to provide assignment information and display the information to the user (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

BTAS does not disclose where the database is a centralized database.

Edwards shows a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the system BTAS disclosed from claim 1 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

47. Regarding claim 24, BTAS discloses the program of claim 17, along with a database operable to provide assignment information and display information to the user (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

BTAS does not disclose where the database is a centralized database.

Edwards shows a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the system BTAS disclosed from claim 1 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Frink whose telephone number is (571)272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven McAllister can be reached on (571)272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

John Frink

STEVE MCALLISTER
SUPERVISORY PATENT EXAMINER